

**HPSCI Testimony**  
**18 August 2004**

Mister Chairman, Ms. Harman, thank you for the opportunity to be here today. I know we say that at every hearing, but today's session is especially important. I did a lap through Central Command last week and I had a sleepless night in Doha the night before I went in to Iraq. But when I was awake, I wasn't thinking about the flight into Baghdad; I was focusing on these hearings. This is very important work.

I will be brief in my opening remarks. I'd be very happy to dive into any aspect of them in more detail in response to your questions.

In general, today's world in American intelligence—the world that we at this table operationally live in—is admittedly imperfect, but it does represent at least an historical balancing of powers, authorities, needs, equities and requirements. We are now going to radically change that equilibrium. The work of the 9-11 commission, various legislative proposals from many of you, and the President's decision to create a National Intelligence Director separate from the head of CIA all create the need for a new calculus.

That's OK. In many ways it is welcome. But this demands a great deal of care on our part. With this in mind, if we are to have an effective National Intelligence Director and effective Intelligence Community, I would propose three broad principles that I would argue are essential to success.

***The first is that the National Intelligence Director must be substantially empowered.*** DCI Tenet exercised considerable authority over me as the Director of NSA but he did this from the force of his personality, our personal relationship and especially his position as head of the CIA. We can't bank on the personality or friendship of a future National Intelligence Director and we have already determined that the NID will not head up the Central Intelligence Agency.

When General Scowcroft was looking at the intelligence community a few years back, he expressed to me some concern that the leader of the IC could not adequately function in that role without the organizational throw weight of the CIA behind him. I disagreed, but I did admit that the community leader (DCI, NID or whatever we would call him) would need substantial authorities. I still think so and therefore urge you to give the new NID all the powers he needs to oversee and coordinate the IC. There are a variety of possible formulae, but the calculus here is simple. More is better than less; total is better than part.

I am speaking here of the agencies that are by their very nature *national*: NSA, NGA, NRO, CIA and some portions of DIA. I know that we have all picked up the mantra of the 9-11 commission about “15 separate” intelligence agencies but many of these are truly departmental and under any future scenario they should remain substantially departmental. No one should think the NID is going to get very involved in how Air Force or Coast Guard intelligence is run. In fact, autonomy for departmental intelligence like DIA or State’s INR is a healthy antidote for groupthink and the lack of competitive analysis. But the big collection disciplines (NSA’s SIGINT, NGA’s IMINT, CIA’s HUMINT, DIA’s MASINT) will work best under a firm, coordinating hand.

There is an urban legend out there that pretends to reflect more chaos than community within the IC. A few weeks ago Larry Korb (a former Assistant Secretary of Defense) was quoted as saying: “You need someone who can give orders, telling the NSA to focus its wiretap on a specific target, the CIA to focus its human intelligence there and the [NRO] to focus [its] satellites there. That’s not happening now.” Actually that’s exactly what happens. The DCI does that; to be more exact, it doesn’t even have to get to his level. His Assistant for collection Charlie Allen does it for him. At least as compared to the current public perception, the DCI punches way above his weight class

in directing the intelligence community. The worst of all possible worlds would be to close out today's DCI and replace him with a feckless NID.

***A second principle: with an empowered NID in place, there should be no organizational layer between the NID and the major collection disciplines.*** Such a layer adds bureaucracy. I was especially concerned with the 9-11 Commission's organizational chart that showed a layer of three deputies between the NID and the agencies. That layer is just not value added; at a minimum it will add administrative burden.

I was even more concerned with the backdrop to that chart: that NSA and NGA were labeled defense intelligence agencies. Let me be clear. Like all Directors before me, I am a career military officer; NSA has been positioned in the Department of Defense; almost half the NSA workforce is military; DOD is NSA's biggest customer by far. But DOD is not NSA's only customer and the demands on us by non-DOD agencies are increasing. Our work with FBI is now especially intimate; Homeland Security is a burgeoning business line; we give tactical support to State Department negotiators that rivals our traditional military support activities; and we routinely empower CIA's clandestine operations.

On my recent trip to the Middle East, I saw the powerful effects of our partnership with US military forces in Iraq and Afghanistan. General Abizaid at CENTCOM and General McChrystal of JSOC were generous in their praise of how we were enabling combat operations. But I got the same kind of comments from Ambassador Powell in Islamabad, Ambassador Khalizad in Kabul, and especially from Ambassador Negroponte in Baghdad. It was clear to me that we were as important to State and to CIA operations and we were to DOD's.

Do not think of us or treat us as defense agencies with additional national duties as assigned. That will in the end limit our potential.

***The third principle I would offer is a complement to this: an empowered NID with direct authority over the “national” agencies should not be viewed as diminishing our ability or willingness to fulfill our responsibilities as combat support agencies.*** I know that some fear this possibility; that is understandable. The American way of war demands Information Dominance.

Several months ago I met informally with some members of the 9-11 commission who expressed strong doubts that an NSA firmly under the hand of a National Intelligence Director would continue to be tactically relevant. Let me tell you what I told them: in five years in the job, I have never had to choose between a “national” and a “tactical” effort. In today’s context, I’m not even sure what those words mean. Don’t get me wrong; I’ve had to make plenty of resource-constrained choices. But the dilemmas were never tactical vs. national.

NSA has literally hundreds of people forward deployed with US military commands, 250 with CENTCOM alone. We are in the process (with NSA funds, but with no direction from DOD nor even a request from the Army) of deploying NSA communications, workstations, terminals, databases and personnel down to the Army brigade level in Iraq. This is well beyond what a “national” agency has ever been expected to do but we’re doing it—unasked—because we see the value we can add. It is inconceivable to me that any future leadership of NSA could or would ever act any differently.

If we’re reluctant to believe in good faith, we are not without options here. There are a variety of institutional devices that could reassure us. We can continue to require that the Director of NSA be a serving military officer; that NSA still be identified as a combat support agency; that the Joint Staff continue to evaluate NSA in that role; that the workforce remain about 50% military; that the Director continue in his role as Chief Central Security Service, his chain of command to the Service cryptologic forces.

A lot has been said about a Goldwater-Nichols approach to the intelligence community. I think the personnel provisions of that act apply more to the IC than some of the other aspects of the law. But it is unarguable that the underlying principle of Goldwater-Nichols transfers pretty well: and that is the rejection of the belief that “If I don’t own it or control, I can’t count on it.”

I know that I have left out a great many details but I wanted to lay out these three principles: *1) the National Intelligence Director must be substantially empowered; 2) there should be no organizational layer between the NID and the major collection disciplines and 3) this should not be viewed as diminishing our ability or willingness to fulfill our responsibilities as combat support agencies.*

I look forward to your questions.